

Kristensen and others have alluded to, has four lines of defense for which you may or may not feel some sense of optimism and confidence. I do. The first, the public. Senator Chambers may think that they're dupes and they're idiots and they don't...they can't identify their own self-interests when they vote, but I think the voters can make that judgment, and they're the first ones that have to do so. That's the first line of defense. And I think we should give them some faith. Secondly, if the voters say yes to the idea and grant us this power, this body has to act. In the past when we've done this we have gone out of our way to craft when arbitration is reasonable and when it's not. We've said no in the case of personal injuries, we've said no in the cases of contract of adhesions, we've said no in cases of unequally balanced contracts that are nonnegotiated in the forms of contracts of adhesion, and we've named several--credit card applications, installment loans, insurance contracts. When we've (inaudible) on that, that's what we've done. I have confidence in us. We have a track record. Third, if we authorize arbitration, unlike the expression of Senator Chambers, understand that it requires something much more important. It requires two signatures on a contract. Nobody in this body can make that happen, it is a voluntary act. And if it's a nonvoluntary act, that arbitration agreement can be overturned. If those two signatures are on the contract and there is an award there's a fourth line of defense. We have specifically said that all arbitration agreements have to be subject to legal defenses and equitable defenses. A district court is able to throw out an arbitration award or procedure which is unconscionable. Forty-seven states authorize this, the federal government has authorized this since 1925. Senator Kristensen, Senator Abboud, Senator Chambers, Senator Lindsay haven't been able to give you one example of justice gone awry in arbitration, our one agreement as to justice gone awry is the trial of Medger Evers' killer, thirty years ago, in which a jury let 'em off. That's the only case in which we have on this floor that we know of justice gone awry. I don't have as much confidence in the litigation process as my colleagues do, but understand that it requires the voters, the Legislature, the voluntary act of citizens and a potential review by district court to allow arbitration to be upheld in this circumstance. That is enough of a defense for this unproven parade of horrors. I urge you to advance LR 2CA.

SENATOR CROSBY: Thank you, Senator Landis. Are we missing someone? Senator Kristensen, would you like to check in. Thank